

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

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PCT

WRITTEN OPINION OF THE INTERNATIONAL
SEARCHING AUTHORITY

(PCT Rule 43 *bis*.1)

Date of mailing

14 SEP 2006 (day/month/year)

2006 (1 4 . 0 9 . 2 0 0 6)

Applicant's or agent's file reference

OP06028

FOR FURTHER ACTION

see paragraph 2 below

International application No.

PCT/CN2006/001187

International filing date (day/month/year)

02.JUN. 2006 (02.06.2006)

Priority date (day/month/year)

07.JUN.2005 (07.06.2005)

International Patent Classification (IPC) or both national classification and IPC

H04L29/06 (2006.01) i

Applicant

HUAWEI TECHNOLOGIES CO., LTD et al

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/CN

The State Intellectual Property Office, the
P.R.China 6 Xitucheng Rd., Jimen Bridge,
Haidian District, Beijing, China 100088

Facsimile No. 86-10-62019451

Date of completion of this opinion

27. AUG. 2006 (27.08.2006)

Authorized officer

XU



Telephone No. (86-10)62084527

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/CN2006/001187

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of:

- ☒ the international application in the language in which it was filed
☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

- ☐ a sequence listing
☐ table(s) related to the sequence listing

b. format of material

- ☐ on paper
☐ in electronic form

c. time of filing/furnishing

- ☐ contained in the international application as filed
☐ filed together with the international application in electronic form
☐ furnished subsequently to this Authority for the purposes of search

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

WRITTEN OPINION OF THE
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International application No.
PCT/CN2006/001187

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement:

Novelty (N)	Claims	<u>2—10, 12—14</u>	YES
	Claims	<u>1, 11</u>	NO
Inventive step (IS)	Claims	<u>None</u>	YES
	Claims	<u>1—14</u>	NO
Industrial applicability (IA)	Claims	<u>1—14</u>	YES
	Claims	<u>None</u>	NO

2. Citations and explanations

D1:CN1585385A

D2: CN1581872A

D3: KR314581B

Novelty:

Independent claim 1 relates to a method for implementing SP. D1 relates to a signaling agent realizing method based on whether media gateway control protocol, and discloses the features: configuring the policy needed to have a proxy process; after the SP receives the message, determining the message needed to have a proxy process according to the policy configured, and transmitting after the said message has been had a proxy process (see the claims and description Page 2-4). D1 has disclosed all the feature of claim 1, so independent claim 1 does not meet the requirements of Art.33(2)PCT, having no novelty.

Independent claim 11 relates to an apparatus for implementing SP. D1 relates to a signaling agent realizing method based on whether media gateway control protocol, and discloses the features: the message receiving and identifying unit configured with the proxy process policy, for identifying the message needed to have a proxy process; the message process unit, for having a process to the message needed to have a signaling proxy; the transmitting unit, for transmitting the message having been processed to the corresponding server (see the claims and description Page 2-4). D1 has disclosed all the feature of claim 1, so independent claim 11 does not meet the requirements of Art.33(2)PCT, having no novelty.

claims 2—10 and 12—14 are respectively dependent on claims 1 and 11, and D1、D2 and D3 do not disclose completely the technical solutions of claims 2—10 and 12—14, so they meet the requirements of Art.33(2)PCT, having novelty.

Inventive step:

The technical solutions of claims 1 and 11 are obvious to the person skilled

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of :

on the basis of D1, so they do not meet the criteria set out in PCT Article 33(3), without an inventive step.

The additional features of the dependent claims 2—10 and 12—14 are the habitual technical means to the person skilled ,and they are obvious to the person skilled on the basis of D1, so they do not meet the criteria set out in PCT Article 33(3), without an inventive step.

Industrial applicability:

Claims 1-14 comply with Art.33(4) PCT, having industrial applicability.